



OFFICE OF THE CLERK/TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

TTY (802) 865-7142

MINUTES

LOCAL CONTROL SUB-COMMITTEE

WEDNESDAY, MARCH 2, 2011

CITY ASSESSOR'S OFFICE, PUBLIC RECORDS ROOM, CITY HALL

5:30 P.M.

Present: Chair Vince Dober, Commissioner David Berezniak, Nikki Fuller, City Attorney's Office and Lori Olberg from Clerk-Treasurer's Office.

Absent: Commissioner Emma Mulvaney-Stanak

The meeting was called to order by Chair Dober at 5:04 p.m.

1. **AGENDA**

A motion was made by Commissioner Berezniak, seconded by Chair Dober to approve the agenda as written.

Passed: 2-0

2. **CONSENT AGENDA**

2.01. **COMMUNICATION:** Lori Olberg, Licensing, Voting and Records Coordinator, re: Request for Catering Log

*waive the reading, accept the communication and place it on file

2.02. **COMMUNICATION:** Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Notice Of Liquor Licensee Enforcement Violation General Regulation #16, Church Street Tavern, January 31, 2011, \$500 Administrative Notice Of Agency Action has been paid

*waive the reading, accept the communication and place it on file

2.03. **COMMUNICATION:** Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Notice of Liquor Licensee Enforcement Violation General Regulation #37, Ruben James, January 31, 2011, \$200 Administrative Notice of Agency has been paid

*waive the reading, accept the communication and place it on file

2.04. **COMMUNICATION:** William J. Goggins, Chief, Education, Licensing & Enforcement, State Of Vermont, Department of Liquor Control, re: Selling Alcohol Products Prior to Receiving Training, Pacific Rim, January 10, 2011, **One day suspension: Friday, March 11, 2011; mandatory DLC training for the licensee is required within sixty (60) days**

*waive the reading, accept the communication and place it on file

2.05. **COMMUNICATION:** William J. Goggins, Chief, Education, Licensing & Enforcement, State Of Vermont, Department of Liquor Control, re: Underage Alcohol Beverage Sale (**1st violation**), American Flatbread, January 10, 2011

*waive the reading, accept the communication and place it on file

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2.06. COMMUNICATION: William J. Goggins, Chief, Education, Licensing & Enforcement, State Of Vermont, Department of Liquor Control, re: Underage Alcohol Beverage Sale (**1st violation**), JR's Corner Store, January 10, 2011

*waive the reading, accept the communication and place it on file

2.07. COMMUNICATION: William J. Goggins, Chief, Education, Licensing & Enforcement, State Of Vermont, Department of Liquor Control, re: Underage Alcohol Beverage Sale (**1st violation**), City Market of Onion River Co-op, January 10, 2011

*waive the reading, accept the communication and place it on file

2.08. COMMUNICATION: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Notice of Liquor Licensee Enforcement Violation General Regulation #17, The Other Place, January 31, 2011, \$500 Administrative Notice of Agency Action has been paid

*waive the reading, accept the communication and place it on file

2.09. COMMUNICATION: William J. Goggins, Chief, Education, Licensing & Enforcement, State Of Vermont, Department of Liquor Control, re: Simon's Store Battery Park, January 11, 2011, Underage Alcohol Beverage Sale (**2nd violation**), **3 day suspension or \$300 Administrative Penalty; mandatory DLC training for the licensee is required within sixty (60) days**

*waive the reading, accept the communication and place it on file

2.10. COMMUNICATION: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Notice of Liquor Licensee Enforcement Violation General Regulation #13, American Flatbread-Burlington Hearth, January 10, 2011, \$250 Administrative Notice of Agency Action has been paid

*waive the reading, accept the communication and place it on file

2.11. COMMUNICATION: Carole Bourneuf, Executive Secretary, re: Draft Minutes 01/26/11 Local Control Sub-committee/City Council License Committee

*waive the reading, accept the communication and place it on file

2.12. COMMUNICATION: Carole Bourneuf, Executive Secretary, re: Draft Minutes 02/09/11 Local Control Sub-committee/City Council License Committee

*waive the reading, accept the communication and place it on file

A motion was made by Commissioner Berezniak, seconded by Chair Dober to waive the readings, accept the communications and take action as indicated and place them on file.

Passed: 2-0

3. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2010-2011):

PJSC, LLC, d/b/a Scuffer Steak and Ale House, 148 Church Street*

3.01. OUTSIDE CONSUMPTION PERMIT APPLICATION (2010-2011):

PJSC, LLC, d/b/a Scuffer Steak and Ale House, 148 Church Street*

Open for discussion: Present for establishment are: Michael Williams, Patrick Stewart and Sam Handy. Chair Dober asked if the DLC seminar has been taken and Mr. Handy indicated the class scheduled to take was cancelled and has been rescheduled for March 10, 2011 in Stowe, VT.

Discussion regarding the money issue from Mr. Williams was discussed. Mr. Williams noted that the reason he's selling his business is due to the money issues (his debt) with the City and State. Once the business is sold, his debt with the City will be satisfied. Attorney Fuller indicated that an agreement can be drawn up and signed by all parties, including the attorneys, stating at the time of closing a check will be issued to the City to finalize all debt from the seller. Mr. Williams was agreeable to this. This issue is tabled until the next meeting on March 16, 2011

at 5:00 p.m. A motion was made by Commissioner Berezniak, seconded by Chair Dober to table the First Class Restaurant Liquor License Application for PJSC, LLC d/b/a Scuffer Steak and Ale House and also 3.01 for Outside Consumption Permit Application for same. The motion passed unanimously.

4. **OTHER BUSINESS**

None

5. **ADJOURNMENT**

A motion as then made by Commissioner Berezniak, seconded by Chair Dober to adjourn the meeting at 6:14 p.m.

CITY COUNCIL LICENSE COMMITTEE
WEDNESDAY, MARCH 2, 2011

Present: Councilor Vince Dober, Councilor David Berezniak, Nikki Fuller, City Attorney's Office and Lori Olberg from Clerk-Treasurer's Office.

Absent: Councilor Emma Mulvaney-Stanak

The meeting was called to order by Councilor Dober at 6:14 p.m.

1. **AGENDA**

A motion was made by Councilor Berezniak, seconded by Councilor Dober to approve the agenda as written.

Passed: 2-0

2. **CONSENT AGENDA**

2.01. **COMMUNICATION:** Ron Redmond, Executive Director, Church Street Marketplace,
Re: Promised Follow up

*waive the reading, accept the communication and place it on file

2.02. **COMMUNICATION:** Lieutenant Art Cyr, Burlington Police Department, re: Under 21
Event, Nectar's, February 16, 2011, 9:00 p.m. – 2:00 a.m.

*waive the reading, accept the communication and place it on file

2.03. **COMMUNICATION:** Lieutenant Art Cyr, Burlington Police Department, re: Under 21
Event, Nectar's, February 20, 2011, 9:00 p.m. – 2:00 a.m.

*waive the reading, accept the communication and place it on file

2.04. **COMMUNICATION:** Lieutenant Art Cyr, Burlington Police Department, re: Under 21
Event, Nectar's, February 23, 2011, 9:00 p.m. – 2:00 a.m.

*waive the reading, accept the communication and place it on file

2.05. **COMMUNICATION:** Lieutenant Art Cyr, Burlington Police Department, re: Under 21
Event, Nectar's, February 24, 2011, 9:00 p.m. – 2:00 a.m.

*waive the reading, accept the communication and place it on file

2.06. **COMMUNICATION:** Lieutenant Art Cyr, Burlington Police Department, re: Under 21
Event, Nectar's, March 1, 2011, 9:00 p.m. – 2:00 a.m.

*waive the reading, accept the communication and place it on file

2.07. **COMMUNICATION:** Lieutenant Art Cyr, Burlington Police Department, re: Under 21
Event, Nectar's, March 6, 2011, 9:00 p.m. – 2:00 a.m.

*waive the reading, accept the communication and place it on file

2.08. **COMMUNICATION:** Lieutenant Art Cyr, Burlington Police Department, re: Under 21
Event, Nectar's, March 17, 2011, 9:00 p.m. – 2:00 a.m.

*waive the reading, accept the communication and place it on file

2.09. **COMMUNICATION:** Lieutenant Art Cyr, Burlington Police Department, re: Under 21
Event, Nectar's, March 20, 2011

*waive the reading, accept the communication and place it on file

A motion was made by Councilor Berezniak, seconded by Councilor Dober, to approve the Consent Agenda as written and take action indicated.

Passed: 2-0

3. **INDOOR ENTERTAINMENT PERMIT APPLICATION (2010-2011):**

PJSC, LLC, d/b/a Scuffer Steak and Ale House, 148 Church Street*

A motion was made by Councilor Berezniak, seconded by Councilor Dober for Indoor Entertainment Permit Application for PJSC, LLC d/b/a Scuffer Steak and Ale House to table this application until March 16, 2011.

Passed: 2-0

4. **OTHER BUSINESS**

None

5. **ADJOURNMENT**

A motion as then made by Councilor Berezniak, seconded by Councilor Dober to adjourn the meeting at 6:15 p.m